Appl. No. .: 10/625,999
Amendment Dated January 30, 2007
Response to Office Action Mailed December 28, 2006

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REMARKS

A.   GENERALLY

Claims 1-3, 5-7, 9-16, 18-20, 22-33, 35-43, 75-77, and 79-81 remain in this application. Claims 1-7, 9-16, 18-20, 22-27, 33, 35-43, and 63-74 have been amended. Claims 4, 17, 21, 34, 63-74 and 78 have been canceled. Claims 8, 21, and 44-62 were previously canceled. Claims 79-81 have been added.

Paragraph 0073 of the Specification has been amended to clarify that "even signature" and "whole signature" are synonymous. No new matter has been added.

A Request for Continued Examination is filed herewith.

Applicant wishes to thank the examiner for extending the courtesy of interviews conducted on January 25, 2007 and January 29, 2007. Applicant has provided a summary of the interviews herewith.

B.   CLAIM REJECTIONS

Claims 1-7, 9-20, 22-43 and 63-78 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bonneau in view of U.S. Patent Application Publication No. 2002/0143603 filed by Moore ("Moore").

Claim 1 (as amended) recites the following limitations:

1. (Currently Amended)   A method for producing a customized catalogue comprising pages for a catalogue retailer for delivery to a targeted recipient comprising:

　　acquiring targeted recipient data, wherein the targeted recipient data comprise historical transaction data specific to the targeted recipient;

　　creating a targeted recipient profile from the targeted recipient data;

　　applying an offering rule to the targeted recipient profile to select a set of selected offerings from offerings stored in an offerings database;

　　applying a ranking rule to the set of selected offerings to create an ordered set of selected offerings, wherein the order set of selected offerings comprises a first selected offering and a second selected offering;

　　acquiring a first product asset associated with the first selected offering;

　　applying a page allocation rule to allocate a first space within a page of the customized catalogue for the first set of product assets associated with the first

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selected offering, wherein the page comprises a page space and wherein the page allocation rule does not utilize a page template;

acquiring a second product asset associated with the second selected offering;

determining a remaining space on the page, wherein the remaining space comprises the page space less the first allocated space;

applying the page allocation rule to allocate a second space within the remaining space of the page of the customized catalogue for the second product asset associated with the second selected offering;

generating a customized catalogue specification file for the targeted recipient, wherein the customize catalogue specification comprises the first product asset, the second product asset, the first allocated space and the second allocated space ; and

printing the customized catalogue using the customized catalogue specification file.

The office action asserts that U.S. Patent Application Publication No. 2002/0143603 to Moore discloses "applying a set of ranking rules to the selected offering to determine a relevancy ranking; and applying a set of page allocation rules to allocate space within the customized catalogue for the selected offering using the relevancy ranking."

The office action cites Moore Figures 6-8 and in Moore ¶¶0035 and 0061 as support for these findings:

> [0035] A custom application would need to be provided to perform steps 403, 404 and 406 and to enter this information into a database. The custom user interface would update a <u>Product Layout table</u> with products numbers, the graphic/text file name to be used by InfoPrint Manager, and maximum and minimum size. A Layout Exclusion table would be updated with the product number and the layout area where the product cannot be printed. The application would also update a Layout Area table with layout area numbers, preference multipliers and layout area sizes. (Moore, Specification, ¶0035; emphasis added by underlining.)

> [0061] The third possible optimization model is a generalized network model. This model is the most flexible, but is likely to be the slowest, and may not solve properly in some or all cases. It would require using one of the previous models as a backup in the code. However, there are two benefits to this model. The first is more flexible layouts where layout locations overlap. <u>This model would not result in any unused space.</u> The second benefit is the use of conditional profits, such as, for example, the likelihood of purchasing an extended warranty with a product. This feature is not shown for sake of simplicity. (Moore, Specification, ¶0061; emphasis added by underlining.)

The following paragraphs of Moore establish a context for the referenced excerpts:

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[0039] A "grid" layout system is frequently used in graphic design. <u>A page</u> is divided into grids, with each design element occupying one or more grids. In the optimization model, a particular product might use a single grid location, or might use a collection of contiguous grid locations. The different models presented offer different levels of flexibility for layouts, with increasing processing time for more complex layouts. (Moore, Specification, ¶0039; emphasis added by underlining.)

[0040] Referring to FIG. 5, a diagram illustrating a grid layout is depicted in accordance with the present invention. The grid layout has three grids horizontally and four grids vertically, resulting in 12 grid locations. <u>In this example, the 12 grid locations have been assigned to six layout areas A-F, as illustrated. FIG. 5 shows how the layout areas are mapped to the grid locations, and gives example preference factors for each location.</u> (Moore, Specification, ¶0040; emphasis added by underlining.)

The cited paragraphs describe <u>a page</u> that is divided into a fixed grid. The grid (or template) defines areas that may be used for content. A product is assigned to a layout area. Depending on the optimization model, the layout areas may or may not overlap. However, the allocation of space on a page to the various selected offerings is constrained by the grid and the layout areas.

Claim 1 (as amended) does not predefine the page space into grid locations. Rather, the page space is allocated, one offering at a time, until the space is used. Thus, the allocation rules continuously allocate the remaining space of the page until the space is fully allocated. Applicant respectfully submits that this process is distinct from establishing a grid and constraining an offering to fit the grid. To be clear, claim 1 (as amended) includes a negative limitation against the use of templates.

Additionally, claim 1 recites a ranking rule that orders the selected offerings. The page allocation rule is applied to the ordered set of selected offerings. Applicant respectfully submits that this ranking and allocation process is not taught by the combination of Bonneau and Moore.

Claims 2, 3, 5-7, 9-13, 75 and 79 as currently listed depend directly or indirectly from claim 1 (as amended). Thus, claims 2, 3, 5-7, 9-13, 75 and 79 recite limitations not taught or disclosed by the combination of Bonneau and Moore. Based on the foregoing, claims 1-3, 5-7, 9-13, 75 and 79 are patentable over the cited prior art.

Independent claim 14 (as amended) also recites limitations directed to ranking selected offerings and applying page allocation rules to the ranked selected offerings. It follows that the claims that depend from independent claims 14 (as amended) are allowable over the cited prior

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art. Claims 15-16, 18-20, 22-26, 76, and 80 as currently listed depend directly or indirectly from independent claim 14 (as amended). Based on the foregoing, Applicant submits that claims 15-16, 18-20, 22-26, 76, and 80 as currently listed are patentable over the cited prior art.

Independent claim 17 (as amended) also recites limitations directed to ranking selected offerings and applying page allocation rules to the ranked selected offerings. It follows that the claims that depend from independent claims 17 (as amended) are allowable over the cited prior art. Claims 28-33, 35-43, 77 and 81 as currently listed depend directly or indirectly from independent claim 27 (as amended). Based on the foregoing, Applicant submits that claims 28-33, 35-43, 77 and 81 as currently listed are patentable over the cited prior art.

C.   CONCLUSION

In view of the above information and remarks, Applicant respectfully requests reconsideration of the current rejections. For the above reasons, Applicant respectfully submits that the application is in condition for allowance with claims 1-7, 9-20, 22-43, 63-78. Should any further questions arise concerning this application or in the event the above amendments do not place the application in condition for allowance, Applicant respectfully requests an interview with the examiner and the examiner's supervisor prior to any new office action relating to the present Application. Attorney for the Applicant may be reached at the number listed below. The Director of the U.S. Patent & Trademark Office is authorized to charge any necessary fees, and conversely, deposit any credit balance, to Deposit Account No. 18-1579.

Respectfully Submitted,

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